Claim Rejections – 35 U.S.C. §102 Over Ladd

Appliants present a summary argument and more detailed arguments below regarding Ladd. In addition, without prejudice to Applicants' arguments that Ladd does not anticipate the present claims, Applicants also have amended the claims as discussed with Examiners Faber and Hong on June 2, 2006. The amendments move the limitations of former method claims 6 and 9 into independent method claim 1. Parallel amendments are presented for the counterpart system and computer program product claims: The limitations of claims 17 and 20 are moved into claim 12, and the limitations of claims 28 and 31 are moved into claim 23.

Claims 1-33 stand rejected under 35 U.S.C § 102(e) as being anticipated by Ladd et al (US Patent #6,269,336). To anticipate claims 1-33 under 35 U.S.C. § 102(e), two basic requirements must be met. The first requirement of anticipation is that Ladd must disclose each and every element as set forth in Applicants' claims. The second requirement of anticipation is that Ladd must enable Applicants' claims. Ladd does not meet either requirement and therefore does not anticipate Applicants' claims.

Summary Of Applicants' Argument Regarding Ladd

As an aid to efficiency, Applicants here set forth a brief summary of Applicants' argument regarding Ladd. Applicants' full argument regarding Ladd is set forth below in detail. This summary is merely an aid to review. Nothing in it replaces, substitutes, detracts from, nor diminishes in any way the full argument set forth below.

Applicants respectfully submit that the only thing disclosed at specific reference points or anywhere else in Ladd is a voice browser and a markup language for voice-enabling the voice browser for providing interactive services. Ladd's voice-enabling markup language is an XML language based upon XML <dialog> elements and <step> elements.

The broad claims in the present application, claim 1 and its counterparts, claims 12 and 23, recite methods and systems for 'differential dynamic content delivery,' ways of delivering multimedia content that is structured and filtered for delivery to users participating in a multimedia presentation session – in dependence upon the characteristics of the users themselves, which departments they work in, their security clearances, their levels of technical expertise, and so on.

Ladd's voice browser and voice-enabling markup language with <dialog> elements and <step> elements for providing interactive services does not disclose such structured presentation of multimedia content according to user characteristics. Ladd discloses a voice browser and a voice-enabling markup language, nothing more. Ladd's markup includes grammars, but Ladd makes no pretense of providing a grammar for control of a multimedia presentation. Ladd neither discloses nor hints at providing content for a multimedia presentation. Ladd neither discloses nor hints at selecting content for a multimedia presentation session according to characteristics of user participating in the session. In fact, Ladd, makes no mention whatsoever of a multimedia session, a session document, a presentation, a session grammar, or a session structured document.

Ladd Does Not Disclose Each and Every Element Of The Claims Of The Present Application

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As explained in more detail below, Ladd does not disclose each and every element of claim 1, and Ladd therefore cannot be said to anticipate the claims of the present application within the meaning of 35 USC 102.

Independent claim 1 claims:

1. A method for differential dynamic content delivery, the method comprising:

providing a session document for a presentation, wherein the session document includes a session grammar and a session structured document;

selecting from the session structured document a classified structural element in dependence upon user classifications of a user participant in the presentation; and

presenting the selected structural element to the user.

Ladd Does Not Disclose Providing A Session Document For A Presentation, Wherein The Session Document Includes A Session Grammar And A Session Structured Document

The first element of claim 1 claims, "providing a session document for a presentation, wherein the session document includes a session grammar and a session structured document." Regarding the first element of claim 1, the Office Action states that Ladd at FIG 6 column 38, line 20 through column 40 line 24, FIG 8 and Column 41, line 13 through Column 43, line 52, Column 15, lines 62-64, Column 16, lines 5-17, and Column 16, line 41 through Column 37, line 59 discloses a method:

> providing a session document for a presentation, wherein the session document includes a session grammar and a session structured document (FIG 8 and 9 discloses a flowchart of weather application using a document based on the structure of FIG 6. Column 38, line 20 – Column 40, line 24 disclose the markup language document used for FIG 8 and Column 41, line 13 – Column 43, line 52 disclosure the markup language document used for FIG 9. Each document contains grammar elements (Column 15, lines 62-64; Column 16, lines 5-17, where each element such as DIALOG and INPUT are fully disclosed in detailed with examples from Column 16, line 41 – Column 37, line 59)...

That is, the Office Action takes the position that Ladd at FIG 6 column 38, line 20 through column 40 line 24, FIG 8 and Column 41, line 13 through Column 43, line 52, Column 15, lines 62-64, Column 16, lines 5-17, and Column 16, line 41 through Column 37, line 59 discloses the first element of claim 1 of the present application.

Applicants respectfully note in response, however, that the only thing disclosed at these specific reference points or anywhere else in Ladd is a voice browser and a markup language for voice-enabling the voice browser for providing interactive services. Ladd's voice-enabling markup language is an XML language based upon XML <dialog> elements and <step> elements.

The first element of claim 1, however, recites a providing a session document for a presentation, wherein the session document includes a session grammar and a session structured document. The claimed presentation is a multimedia presentation with a presenter and a number of user participants. The session document contains a grammar for a presentation session and a session markup document that organizes content for the presentation. The contents of the session structured document can be filtered into the session structured document in dependence upon user classifications and classification identifiers (per claim 6, claim 7, and the specification). In plainer language, therefore, the first element of claim 1 claims providing multimedia content for a multimedia presentation session where the content is determined according to characteristics of participants in the session. We make this lengthy description of the first element of claim 1 to aid our explanation of why Ladd does not anticipate the first element of claim 1.

Ladd's voice browser and voice-enabling markup language with <dialog> elements and <step> elements for providing interactive services does not disclose providing a session document for a presentation, wherein the session document includes a session grammar and a session structured document as claimed in the present application. Ladd discloses a voice browser and a voice-enabling markup language, nothing more. Ladd's markup includes grammars, but Ladd makes no pretense of providing a grammar for control of a multimedia presentation. Ladd neither discloses nor hints at providing content for a multimedia presentation. Ladd neither discloses nor hints at selecting content for a multimedia presentation session according to characteristics of user participating in the session. In fact, Ladd, neither at the present reference nor anywhere else in Ladd makes any mention of a multimedia session, a session document, a presentation, a session grammar, a session structured document, or providing a session document for a

presentation, wherein the session document includes a session grammar and a session structured document. Ladd's not disclosing the first element of claim 1 means that Ladd does not disclose all the elements and limitations of Applicants' claims. Because Ladd does not disclose each and every element and limitation of applicants' claims, Ladd does not anticipate Applicants' claims, and the rejections should be withdrawn.

Ladd Does Not Disclose Selecting From The Session Structured Document A Classified Structural Element In Dependence Upon User Classifications Of A User Participant In The Presentation

The second element of claim 1 claims, "selecting from the session structured document a classified structural element in dependence upon user classifications of a user participant in the presentation,". Regarding the first element of claim 1, the Office Action states that Ladd at FIG 8, 9; Column 37, line 60 – Column 43, line 52; Column 38, lines 4 – 11; Column 2, lines 48 – 58; and Column 43, lines 54 – 63 discloses a method:

> selecting from the session structured document a classified structural element in dependence upon user classifications of a user participant in the presentation (FIG 6 column 38, line 20 through column 40 line 24, FIG 8 and Column 41, line 13 through Column 43, line 52, Column 15, lines 62-64, Column 16, lines 5-17, and Column 16, line 41 through Column 37, line 59)...

That is, the Office Action takes the position that Ladd at FIG 6 column 38, line 20 through column 40 line 24, FIG 8 and Column 41, line 13 through Column 43, line 52, Column 15, lines 62-64, Column 16, lines 5-17, and Column 16, line 41 through Column 37, line 59 discloses the second element of claim 1. Applicants respectfully note in response, however, that the only thing disclosed at these specific reference points or anywhere else in Ladd is a voice browser and a markup language for voice-enabling the voice browser for providing interactive services. Ladd's voice-enabling markup language is an XML language based upon XML <dialog> elements and <step> elements.

The second element of claim 1, however, recites selecting from the session structured document a classified structural element in dependence upon user classifications of a user participant in the presentation as claimed in the present application. The user classifications may be characteristics of a user such as the user's department, the user's area and level of technical expertise, the user's security clearance level, and so on. Selecting from the session structured document a classified structural element in dependence upon user classifications means that multimedia presentation content can be

selected so as to present different content to different users during the same presentation session, depending upon these characteristics of the users. Different content is selected for a user with a high security clearance than is selected for presentation to a user with a low security clearance. Different content is selected for presentation to a user with high technical expertise than is selected for presentation to a user with low expertise. Different content is selected for a user from the engineering department than for a user from the marketing department. And so on.

Ladd's voice browser and voice-enabling markup language with <dialog> elements and <step> elements for providing interactive services does not disclose selecting from the session structured document a classified structural element in dependence upon user classifications of a user participant in the presentation as claimed in the present application. Again, Ladd discloses a voice browser and a voice-enabling markup language, nothing more. Ladd's markup includes grammars, but Ladd makes no pretense of providing a grammar for control of a multimedia presentation. Ladd neither discloses nor hints at providing content for a multimedia presentation. Ladd neither discloses nor hints at selecting content for a multimedia presentation session according to characteristics of user participating in the session. In fact, Ladd, neither at the present reference nor anywhere else in Ladd makes any mention of a multimedia session, a session document, a presentation, a session grammar, a session structured document, or selecting from the session structured document a classified structural element in dependence upon user classifications of a user participant in the presentation. Ladd's not disclosing the second element of claim 1 means that Ladd does not disclose all the elements and limitations of Applicants' claims. Because Ladd does not disclose each and every element and limitation of applicants' claims, Ladd does not anticipate Applicants' claims, and the rejections should be withdrawn.

Ladd Does Not Disclose Presenting The Selected Structural Element To The User

The third element of claim 1 claims, "presenting the selected structural element to the user" Regarding the first element of claim 1, the Office Action states that Ladd at FIG 8, Column 37, line 60 – Column 38, line 3; Column 38, line 20 – Column 40, line 24 discloses a method:

> presenting the selected structural element to the user (FIG 8, Column 37, line 60 – Column 38, line 3; Column 38, line 20 – Column 40, line 24)...

That is, the Office Action takes the position that Ladd at FIG 8, Column 37, line 60 – Column 38, line 3; Column 38, line 20 – Column 40, line 24 discloses the third element of claim 1. Applicants respectfully note in response, however, that what Ladd at FIG 8, Column 37, line 60 – Column 38, line 3; Column 38, line 20 – Column 40, line 24 in fact discloses is:

> The following text describes a weather application 500 that can be executed by the system 200 of FIG. 3. FIG. 8 shows an exemplary state diagram of the weather application containing states that prompt the user for input in order to access the weather database. After speaking the current or forecast weather information, the application expects the user to say a city name or the word "exit" to return to the main welcome prompt. The user can select to hear the forecast after the current weather conditions prompt. It will be recognized that the application could be designed to address errors, help and cancel requests properly.

That is, Ladd at this point discloses a use case of voice-enabled weather application operating on a voice browser that is voice-enabled by use of Ladd's voice-enabling markup language. Ladd's weather application presents content to a user, but Ladd's weather application present content selected according to user characteristics. The selected structural element presented to a user in the third element of claim 1 and its counterparts in the present application is a selected structural element that was selected in dependence upon user classifications of the user participant to whom the content is presented, including, for example, the user's department, security clearance, expertise,

and so on. None of this is disclosed by Ladd's weather application or anywhere else in Ladd. Ladd's not disclosing the third element of claim 1 means that Ladd does not disclose all the elements and limitations of Applicants' claims. Because Ladd does not disclose each and every element and limitation of applicants' claims, Ladd does not anticipate Applicants' claims, and the rejections should be withdrawn.

Relations Among Claims

Independent claims 12 and 23 recite system and computer program product aspects for differential dynamic content delivery corresponding to independent method claim 1. Independent claims 12 and 23 respectively include "means for" and "means, recorded on a recording medium, for" differential dynamic content delivery. Independent claims 12 and 23 therefore are patentable for the same reasons that claim 1 is patentable – as set forth above. For the same reasons that Ladd does not disclose or enable a method for differential dynamic content delivery, Ladd also does not disclose or enable systems and computer program products for differential dynamic content delivery corresponding to independent claims 12 and 23. Independent claims 12 and 23 are therefore patentable and should be allowed.

Claims 2-11, 13-22, and 24-32 depend respectively from independent claims 1, 12, and 23. Each dependent claim includes all of the limitations of the independent claim from which it depends. Because Ladd does not disclose or enable each and every element of the independent claims, Ladd does not disclose or enable each and every element of the dependent claims of the present application. As such, claims 2-11, 13-22, and 24-32 are also patentable and should be allowed

Conclusion

Claims 1-33 stand under 35 U.S.C § 102(b) as being anticipated by Ladd do not disclose each and every element of Applicants' claims and do not enable Applicants' claims. Ladd therefore does not anticipate Applicants' claims. Claims 1-33 are therefore patentable and should be allowed.

In addition, without prejudice to Applicants' arguments that Ladd does not anticipate the present claims, Applicants also have amended the claims as discussed with Examiners Faber and Hong on June 2, 2006. The amendments move the limitations of former method claims 6 and 9 into independent method claim 1. Parallel amendments are presented for the counterpart system and computer program product claims: The limitations of claims 17 and 20 are moved into claim 12, and the limitations of claims 28 and 31 are moved into claim 23.

In view of the above remarks and amendments, Applicants respectfully request reconsideration of claims 1-33.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 50-3082 for any fees required or overpaid.

Respectfully submitted,

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